

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

RESIDENTIAL CAPITAL, LLC, *et al.*,

Debtors.

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Case No. 12-12020 (MG)

Chapter 11

Jointly Administered

**STIPULATION AND ORDER PURSUANT TO 11 U.S.C. § 362(d)
MODIFYING THE AUTOMATIC STAY IMPOSED BY 11 U.S.C. § 362(a)**

WHEREAS BB&T Mortgage (“**Requesting Party**”) asserts that it holds a lien on the lands and premises located at 716 71st Avenue, Capitol Heights, MD 20743 (the “**Mortgaged Property**”);

WHEREAS the relevant land records reflect that Homecomings Financial, LLC (“**Homecomings**”), one of the above-captioned debtors (the “**Debtors**” and, together with Requesting Party, the “**Parties**”) previously owned the Mortgaged Property, but the land records do not currently reflect Homecomings’ subsequent transfer of the Mortgaged Property to third-party, Prosper Osei-Wusu;

WHEREAS the Requesting Party having requested (the “**Request**”) that the ResCap Liquidating Trust (the “**Liquidating Trust**”), as successor in interest to the Debtor pursuant to the terms of the chapter 11 plan [Docket No. 6030] (the “**Plan**”) confirmed in the above-captioned chapter 11 cases, agree to stipulate to relief from the automatic stay to permit the Requesting Party to commence an action to foreclose its interest in the Mortgaged Property and to quiet title in favor of Requesting Party;

WHEREAS the Liquidating Trust, following a review of the Debtors' records, has determined that to the best of its knowledge neither it nor any of the Debtors holds an interest in the Mortgaged Property;

WHEREAS the Debtors have agreed to consent to the Request on the terms and conditions contained in this Stipulation and Order;

NOW, THEREFOR, it is hereby stipulated and agreed as between the Parties to this Stipulation and Order, through their undersigned counsel; and after due deliberation and sufficient cause appearing, it is hereby

ORDERED, ADJUDGED, AND DECREED THAT:

1. The Request is granted as set forth herein.
2. To the extent applicable, the automatic stay imposed in this case by section 362(a) of the Bankruptcy Code (the "**Stay**") is modified under section 362(d) of the Bankruptcy Code to the extent necessary to allow Requesting Party to commence and complete an action to foreclose its interest in the Mortgaged Property and to quiet title in favor of Requesting Party and to name Debtor Homecomings Financial, LLC as a defendant in such action for the limited purposes set forth in this Stipulation and Order; provided, however, that nothing contained in this Stipulation and Order shall be deemed to modify the Stay to permit the Requesting Party or any other person or entity to assert any monetary claims or any other form of equitable relief against the Debtors, the Liquidating Trust, the Borrower Claims Trust (as defined in the Plan), or any of their respective affiliates, directors, officers, employees, agents, attorneys and other professionals and such parties respective successors and assigns.
3. Nothing in this Stipulation and Order shall be deemed to affect in any way the rights of any entity, including the Debtors and the Liquidating Trust, to contest the validity, priority, or amount of any or all of Requesting Party's lien in the Mortgaged Property with

respect to any other lien on the Mortgaged Property in any proceeding involving the Mortgaged Property.

4. This Stipulation and Order may not be modified other than by a signed writing executed by the Parties hereto or by further order of the Court.

5. This Stipulation and Order may be executed in multiple counterparts, each of which shall be deemed an original but all of which when taken together shall constitute one and the same instrument.

6. Pursuant to Bankruptcy Rule 4001(a)(3), the 14-day stay of this Stipulation and Order imposed by such Bankruptcy Rule is waived. Requesting Party is authorized to implement the provisions of this Stipulation and Order immediately upon its entry.

7. This Court shall retain jurisdiction with respect to all matters arising from or related to the implementation and interpretation of this Stipulation and Order.

<p>HOMECOMINGS FINANCIAL, LLC</p> <p>By: <u>/s/ Norman S. Rosenbaum</u> Norman S. Rosenbaum Erica J. Richards James A. Newton MORRISON & FOERSTER LLP 250 West 55th Street New York, New York 10019 Telephone: (212) 468-8000 Facsimile: (212) 468-7900</p> <p><i>Counsel for the Post-Effective Date Debtors and The ResCap Liquidating Trust</i></p>	<p>BB&T MORTGAGE</p> <p>By: <u>/s/ Eric S. Sheidlower</u> Eric S. Sheidlower ROSICKI, ROSICKI, & ASSOCIATES, P.C. 51 E. Bethpage Road Plainview, New York 11803 Telephone: (516) 741-2585 Facsimile: (516) 873-7243</p> <p><i>Counsel for BB&T Mortgage</i></p>
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IT IS SO ORDERED.

Dated: September 18, 2015
New York, New York

/s/Martin Glenn
MARTIN GLENN
United States Bankruptcy Judge